

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

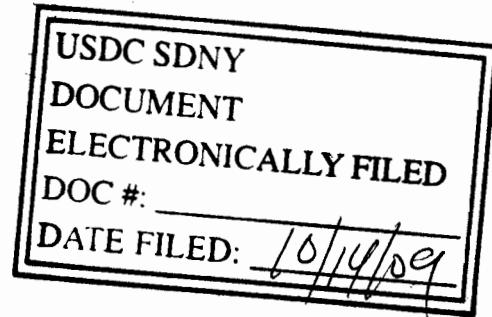
-----X
ALBERT BELL,

: Plaintiff,

:
-v.-
:
:
:

WARDEN ANNA M. KROSS CENTER,
Defendant.

-----X
GABRIEL W. GORENSTEIN, United States Magistrate Judge



The pro se plaintiff in this matter has made an application for the Court to request counsel (see Docket # 5). Applying the factors set forth in Cooper v. A. Sargent Co., 877 F.2d 170 (2d Cir. 1989), the Court denies the request on the ground that the application together with the other papers filed in this action do not at this time demonstrate that plaintiff's claim is likely to be of sufficient substance. In addition, the case is not of such a character that plaintiff will be completely unable to address relevant facts or deal with other issues that may be expected to be raised.

The Court will seek the appointment of counsel without further request by plaintiff if future review of this matter demonstrates that the appointment of counsel is warranted.

SO ORDERED.

Dated: October 14, 2009
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge

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